

DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR MEDICARE & MEDICAID SERVICES

PRINTED: 06/15/2012
FORM APPROVED
OMB NO. 0938-0391

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: 17E596		(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____		(X3) DATE SURVEY COMPLETED C 06/14/2012	
NAME OF PROVIDER OR SUPPLIER BRIGHTON PLACE WEST				STREET ADDRESS, CITY, STATE, ZIP CODE 331 SW OAKLEY TOPEKA, KS 66606			
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)			ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)		(X5) COMPLETION DATE
F 000	INITIAL COMMENTS			F 000			
F 203 SS=D	<p>The deficiencies are a result of the investigation of complaint #57320, #57600 and #56875.</p> <p>483.12(a)(4)-(6) NOTICE REQUIREMENTS BEFORE TRANSFER/DISCHARGE</p> <p>Before a facility transfers or discharges a resident, the facility must notify the resident and, if known, a family member or legal representative of the resident of the transfer or discharge and the reasons for the move in writing and in a language and manner they understand; record the reasons in the resident's clinical record; and include in the notice the items described in paragraph (a)(6) of this section.</p> <p>Except when specified in paragraph (a)(5)(ii) of this section, the notice of transfer or discharge required under paragraph (a)(4) of this section must be made by the facility at least 30 days before the resident is transferred or discharged.</p> <p>Notice may be made as soon as practicable before transfer or discharge when the health of individuals in the facility would be endangered under (a)(2)(iv) of this section; the resident's health improves sufficiently to allow a more immediate transfer or discharge, under paragraph (a)(2)(i) of this section; an immediate transfer or discharge is required by the resident's urgent medical needs, under paragraph (a)(2)(ii) of this section; or a resident has not resided in the facility for 30 days.</p> <p>The written notice specified in paragraph (a)(4) of this section must include the reason for transfer or discharge; the effective date of transfer or discharge; the location to which the resident is</p>			F 203			

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

TITLE

(X6) DATE

Any deficiency statement ending with an asterisk (*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

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F 203	<p>Continued From page 1</p> <p>transferred or discharged; a statement that the resident has the right to appeal the action to the State; the name, address and telephone number of the State long term care ombudsman; for nursing facility residents with developmental disabilities, the mailing address and telephone number of the agency responsible for the protection and advocacy of developmentally disabled individuals established under Part C of the Developmental Disabilities Assistance and Bill of Rights Act; and for nursing facility residents who are mentally ill, the mailing address and telephone number of the agency responsible for the protection and advocacy of mentally ill individuals established under the Protection and Advocacy for Mentally Ill Individuals Act.</p> <p>This REQUIREMENT is not met as evidenced by: The facility had a census of 48 residents. The sample included 5 residents. Based upon record review and interviews the facility failed to notify a legal representative of a discharge prior to discharge for 1 (#1) of 3 sampled residents.</p> <p>Findings included:</p> <ul style="list-style-type: none"> - Review of resident #1's quarterly Minimum Data Set (MDS) 3.0 dated 2/21/12 identified the resident scored 9 (moderately impaired cognition) on the Brief Interview for Mental Status. <p>The resident's discharge MDS 3.0 dated 5/15/12 identified the resident had an unplanned discharged on 5/15/12 and the facility anticipated the resident would return to the facility.</p>			F 203			

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F 203	<p>Continued From page 2</p> <p>A nurse's note, dated 5/15/12, and not timed, documented the resident received a ticket for trespassing and battery to a law enforcement officer, the resident threw water on the officer and the resident would be placed in jail because a local agency would not re-screen the resident.</p> <p>A nurse's note dated 5/15/12 and not timed documented the facility telephoned the resident's guardian and left a message on the guardian's voice mail informing the guardian the resident was in jail.</p> <p>A nurse's note dated 5/17/12 and timed for the 10:00 P.M. to 6:00 A.M. shift documented the resident was out of the facility the last 2 nights and remained out of facility at that time.</p> <p>A nurse's note dated 5/17/12 and timed 2:15 P.M. documented the resident was in the facility, staff accompanied the resident to his/her former room, packed some of the resident's clothing, the facility gave the resident all of the monies in his/her personal funds account and staff escorted the resident to the front door of the facility.</p> <p>A nurse's note dated 5/17/12 and timed 3:35 P.M. documented the resident was in the facility, entered his/her former room and staff reminded the resident he/she discharged from the facility and needed to leave the premise.</p> <p>Review of a notice of immediate transfer or discharge dated 5/18/12 and addressed to the resident's guardian revealed the facility discharged the resident on 5/15/12 to a local behavioral care facility.</p>			F 203			

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F 203	<p>Continued From page 3</p> <p>Review of the resident's clinical record did not support the facility notified the resident's guardian of the resident's discharge prior to discharging the resident.</p> <p>During interview with administrative nursing staff A on 6/13/12 at 10:44 A.M. the staff stated the facility discharged the resident on 5/15/12. Nursing administrative staff A stated the facility informed the resident's guardian on 5/15/12 the resident was in jail but did not inform the resident's guardian the facility discharged the resident and the resident would not return to the facility when released from jail. Nursing administrative staff A stated the facility mailed and faxed a letter to the resident's guardian on 5/18/12 informing the guardian the resident discharged from the facility on 5/15/12.</p> <p>During interview with an interested party on 6/13/12 at approximately 3:15 P.M. the interested party stated the facility informed him/her on 5/15/12 the resident was in jail but did not inform him/her the facility discharged the resident.</p> <p>The facility's transfer and discharges outside of the facility policy and procedures included the social services staff was to ensure that systems were in place to provide written notification to the patient/resident and their legal representative prior to the patient's/resident's transfer.</p> <p>The facility failed to provide notice of an immediate discharge to this resident's legal representative prior to discharging this resident with moderately impaired cognition.</p>			F 203			
F 205 SS=D	483.12(b)(1)&(2) NOTICE OF BED-HOLD POLICY BEFORE/UPON TRANSFR			F 205			

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F 205	<p>Continued From page 4</p> <p>Before a nursing facility transfers a resident to a hospital or allows a resident to go on therapeutic leave, the nursing facility must provide written information to the resident and a family member or legal representative that specifies the duration of the bed-hold policy under the State plan, if any, during which the resident is permitted to return and resume residence in the nursing facility, and the nursing facility's policies regarding bed-hold periods, which must be consistent with paragraph (b)(3) of this section, permitting a resident to return.</p> <p>At the time of transfer of a resident for hospitalization or therapeutic leave, a nursing facility must provide to the resident and a family member or legal representative written notice which specifies the duration of the bed-hold policy described in paragraph (b)(1) of this section.</p> <p>This REQUIREMENT is not met as evidenced by: The facility had a census of 48 residents. The sample included 5 residents. Based upon record review and interviews the facility to provide the duration of the facility's bed-hold policy within 24 hours of a transfer for 2 (#2, #3) of 3 sampled residents.</p> <p>Findings included:</p> <ul style="list-style-type: none"> - Review of resident #2's admission record identified the resident had a guardian and the resident's payor source was private pay. <p>Review of the resident's quarterly Minimum Data</p>			F 205			

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F 205	<p>Continued From page 5</p> <p>Set 3.0 dated 5/7/12 identified the resident scored 6 (severely impaired cognition) on the Brief Interview for Mental Status.</p> <p>On 6/13/12 at approximately 8:15 A.M. administrative nursing staff A stated the resident was in the hospital.</p> <p>Review of the resident's clinical record revealed the resident admitted to the hospital from 5/25/12 until 5/29/12.</p> <p>A nurse's notes dated 5/30/12 and timed 1:50 P.M. documented a nurse practitioner examined the resident, noted the resident did not have bowel sound and gave an order to send the resident to a local hospital emergency room for evaluation.</p> <p>A nurse's note dated 5/30/12 timed 2:20 P.M. documented the resident transferred to a local hospital.</p> <p>Review of the resident's clinical record revealed a bed hold notice dated 5/22/12 but the clinical record did not support the facility provided a bed hold notice to the resident's guardian for the 5/30/12 transfer.</p> <p>During interview with social service staff E on 6/13/12 at 2:50 P.M. the staff stated the facility provided a bed hold notice to residents or legal representative within 24 hours after transfer to a hospital. Social Service staff E stated if the facility provided a bed hold notice, a copy of the bed hold notice would be in the resident's clinical record. Social service staff E confirmed the resident's clinical record lacked evidence the</p>			F 205			

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F 205	<p>Continued From page 6</p> <p>facility provided a bed hold notice to the resident's legal representative when the resident transferred to the hospital on 5/30/12.</p> <p>Review of the facility's bed hold policy dated 3/2006 included the facility's leadership would provide a written bed-hold notice at the time of transfer of a patient/resident for hospitalization or therapeutic leave. The policy included two written notices provided to a resident/family or legal representative regarding the bed-hold policy in the event of hospitalization or therapeutic leave and staff provided the second notice at the time of transfer for hospitalization or therapeutic leave and specified the duration of the bed-hold policy. The policy included in the event of an emergency transfer, the family or representative received written notice within 24 hours of transfer.</p> <p>The facility failed to provide a bed hold notice to this resident's legal representative within 24 hours of the transfer.</p> <p>- Review of resident #3's face sheet identified the resident's payor source as Medicaid.</p> <p>The resident's quarterly Minimum Data Set 3.0 dated 3/28/12 identified the resident scored 9 (moderately impaired cognition) on the Brief Interview for Mental Status.</p> <p>A nurse's note dated 5/29/12 and timed 3:15 P.M. documented the resident complained of leg pain and the facility sent him/her to a local hospital's urgent care center for evaluation and treatment.</p> <p>A nurse's note dated 5/29/12 and timed 9:30 P.M.</p>			F 205			

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F 205	<p>Continued From page 7</p> <p>documented the resident admitted to the hospital at 8:00 P.M. with a diagnosis of cellulitis and to rule out a deep vein thrombus. The note included staff notified the resident's family member via telephone of the resident's admission to the local hospital.</p> <p>A nurse's note dated 6/1/12 and timed 12:00 noon documented the resident returned to the facility after hospitalization for 48 hours.</p> <p>During interview with administrative nursing staff A on 6/13/12 at 4:00 P.M. the staff stated social service staff mailed bed hold notices within 24 hours of a resident transfer to a hospital. Administrative nursing staff A stated a copy of the bed hold notice should be in the resident's clinical record if the facility gave a bed notice to the resident and/or family member. Administrative nursing staff A confirmed the resident's clinical record lacked evidence the facility provided a bed hold notice to the resident or the resident's family member when the resident admitted to a local hospital on 5/29/12.</p> <p>Review of the facility's bed hold policy dated 3/2006 included the facility's leadership would provide a written bed-hold notice at the time of transfer of a patient/resident for hospitalization or therapeutic leave. The policy included two written notices provided to a resident/family or legal representative regarding the bed-hold policy in the event of hospitalization or therapeutic leave and the staff provided the second notice at the time of transfer for hospitalization or therapeutic leave, and specified the duration of the bed-hold policy. The policy included in the event of an emergency transfer, the family or representative</p>			F 205			

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F 205	Continued From page 8 received written notice within 24 hours of transfer. The facility failed to provide a bed hold notice to this resident or the resident's family member within 24 hours of a transfer.			F 205			
F 425 SS=D	483.60(a),(b) PHARMACEUTICAL SVC - ACCURATE PROCEDURES, RPH The facility must provide routine and emergency drugs and biologicals to its residents, or obtain them under an agreement described in §483.75(h) of this part. The facility may permit unlicensed personnel to administer drugs if State law permits, but only under the general supervision of a licensed nurse. A facility must provide pharmaceutical services (including procedures that assure the accurate acquiring, receiving, dispensing, and administering of all drugs and biologicals) to meet the needs of each resident. The facility must employ or obtain the services of a licensed pharmacist who provides consultation on all aspects of the provision of pharmacy services in the facility. This REQUIREMENT is not met as evidenced by: The facility had a census of 48 residents. The sample included 5 residents. Based upon record review and interviews the facility failed to obtain a physician's orders regarding disposition of medications for 1 (#1) of 3 sampled residents.			F 425			

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F 425	<p>Continued From page 9</p> <p>Findings included:</p> <ul style="list-style-type: none"> - Review of resident #1's quarterly Minimum Data Set (MDS) 3.0 dated 2/21/12 identified the resident scored 9 (moderately impaired cognition) on the Brief Interview for Mental Status. <p>The resident's discharge MDS 3.0 dated 5/15/12 identified the resident had an unplanned discharged on 5/15/12 and the facility anticipated the resident would return to the facility.</p> <p>Review of the resident's clinical record did not support the resident's physician gave an order for disposition of the resident's medications after the facility involuntary discharged the resident on 5/15/12. The resident was in jail from 5/15/12 until 5/17/12.</p> <p>A nurse's note dated 5/17/12 and timed for the 10:00 P.M. to 6:00 A.M. shift documented the resident had been out of facility the last 2 nights and remained out of facility at that time.</p> <p>A nurse's note dated 5/17/12 and timed 4:20 P.M. documented a nursing administrative staff from the facility spoke with a staff of a local behavioral unit regarding the resident's medications and the nursing administrative staff delivered the resident's medications to the behavioral unit.</p> <p>Review of the resident's May 2012 physician's order sheet (POS) included the resident had physician's orders to receive the following medications: 100 milligrams (mg's) of Chlorpromazine/Thorazine (an antipsychotic) every 6 hours as needed (PRN) for agitation, 50 mg's of Diphenhydramine/Benadryl (an</p>			F 425			

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F 425	<p>Continued From page 10</p> <p>antihistamine) every 6 hours PRN for extrapyramidal syndrome, 50 mg's of Seroquel/Quetiapine (an antipsychotic) four times a day for anxiety/agitation and Fluphenazine/Prolixin (an antipsychotic) 25 mg intramuscularly every 21 days.</p> <p>Further review of the resident's May 2012 POS included handwritten entries that read a local behavioral staff received 8 tabs of Quetiapine, 5 tabs of Diphenhydramine, 7 tabs of Chlorpromazine, 1 tab of Seroquel and Prolixin injection from a facility staff on 5/17/12. The entries did not include the dosage of the medication the facility staff delivered to the behavioral staff.</p> <p>During interview with nursing administrative staff A on 6/13/12 at 10:44 A.M. the staff stated the facility discharged the resident on 5/15/12. Nursing administrative staff A stated the resident was in jail from 5/15/12 until 5/17/12. Nursing administrative staff A stated on 5/17/12 he/she delivered the resident's medications to the local behavioral unit. Nursing administrative staff A confirmed he/she did not a physician's order regarding releasing the resident's medications to the local behavioral unit. Nursing administrative staff A confirmed the resident's clinical record lacked evidence of the dosage of medications given to the behavioral unit staff.</p> <p>During interview with interested party B on 6/13/12 at 3:30 P.M. the interested party stated the facility did not discharge the resident to the behavioral unit on 5/15/12. Interested party B stated after the facility did not readmit the resident on 5/17/12 the resident presented</p>			F 425			

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F 425	<p>Continued From page 11</p> <p>himself/herself to a local behavioral unit for admission.</p> <p>Review of the facility's take home medications policy dated 12/15/01 included when a resident was out of the facility for a short time, medications should be sent with the resident as appropriate and a physician's orders must be obtained. The policy included the medication envelopes should be labeled with the resident's first and last name, medication name, strength of medication and the directions for use.</p> <p>The facility failed to receive a physician's order regarding disposition of the resident's medications and failed to include the dosage of medications provided to the behavioral unit.</p>			F 425			